

**THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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YORKTOWN CENTRAL
SCHOOL DISTRICT,

Plaintiff,

Civil Action No.: 07 - 8648
(SCR)

ECF CASE

-vs.-

MONSANTO COMPANY,
PHARMACIA CORPORATION,
PECORA CORPORATION and
JOHN DOES 1-20,

Defendants.
----- X

**CERTIFICATION IN SUPPORT
OF MOTION TO DISMISS
THE FIRST AMENDED
COMPLAINT**

I, MICHAEL J. KOZORIZ, ESQ., a member of the bar of the State of New York and of the United States District Court for the Southern District of New York, hereby certifies that:

1. I am an attorney at law and am admitted to practice before this Court. I am associated with the law firm of White and Williams LLP, attorneys for defendant Pecora Corporation ("Pecora") with regard to this matter. As a consequence, I have knowledge of the facts set forth herein.

2. This motion seeks to dismiss the First Amended Complaint. A copy of plaintiff Yorktown Central School District's (the "District") First Amended Complaint, dated February 14, 2008, is attached as **Exhibit 1**.

3. Pecora filed a motion to dismiss the initial complaint on January 18, 2008. (*See* ECF Entry Nos. 19, 20, 21, 22, and 23.)

4. On February 14, 2008, the District both: (a) filed an opposition to the motions to dismiss and (b) filed the First Amended Complaint. (*See* ECF Entry Nos. 27, 28).

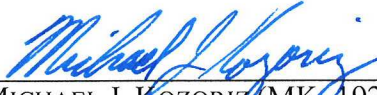
5. On March 20, 2008, Pecora filed its reply in support of the motion to dismiss. (See ECF Entry No. 43.) In addition to addressing the District's opposition to Pecora's motion to dismiss the initial Complaint, those reply papers also addressed the First Amended Complaint.

6. This present motion to dismiss is directed solely at the First Amended Complaint. Pecora hereby incorporates by reference all of the documents included in ECF Entry Nos. 19, 20, 21, 22, 23, and 43 in support of its present motion to dismiss the First Amended Complaint pursuant to Fed. R. Civ. Pro. 12(b)(6).

7. I certify under penalty of perjury that the foregoing is true and correct.

Dated: March 21, 2008

Respectfully submitted,
WHITE AND WILLIAMS LLP
Attorneys for Defendant, Pecora Corporation

By: 
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